

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Implementation of the Local Competition
Provisions of the Telecommunications Act
of 1996

Petition of the New York State Public
Service Commission for Additional
Delegated Authority

CC Docket No. 96-98
NSD File No. L-01-159

COMMENTS OF VERIZON

Area code boundaries are established only after an extended process that includes careful examination and consideration of the views of all those affected — carriers and consumers alike. As a result of these decisions, carriers redesign their networks, and customers reprogram CPE, update telephone books, learn new dialing patterns and may reprint new stationery etc. Changes to an existing area code boundary can also be disruptive to consumers — every bit as disruptive as the establishment of a new area code. Once an area code boundary has been drawn, regulators should not lightly come back and require changes.

After-the-fact modifications should, therefore, be made only to address significant consumer problems and only after affected consumers and service providers have an opportunity to be heard concerning any proposals. Modifications should not be made when the change will cause problems or dislocations for consumers. The Commission should, therefore, retain the authority to make such changes upon application by the state commission.

Verizon's¹ concern about the negative effects of boundary changes is not merely speculative. The NYPSC petition mentions three boundary modification requests that are before it now. Two of these — the Town of Farmington and Ontario County — involve areas in which Verizon provides local service. Both requests would create significant problems for consumers.

As the NYPSC indicates, the Town of Farmington has been in two area codes ever since area codes were established in 1945, NPAs 315 and 716.² It is, at the very least, unclear why any change is necessary at this point. Verizon and at least one CLEC serve customers in the 315 part of Farmington with numbers in NXX codes that are also active in the 716 NPA. If the NPA boundary were moved as has been requested, all these customers would have to be assigned new ten-digit numbers (not just new area codes to go with their existing seven-digit numbers).

The Ontario County request presents similar problems on a larger scale. Like Farmington, parts of Ontario County are now in the 315 and 716 NPAs. Pursuant to an area code relief plan recently adopted by the NYPSC, a new area code (585) is now being introduced in the part of the county that was in the 716 NPA. This process began in November 2001, and mandatory dialing will be effective in August 2002. If the county were united in a single NPA, thousands of Verizon customers in six NXXs in the 315 NPA — almost 40 percent of all Verizon customers in the county — would have to have complete ten-digit number changes, as would customers of three CLECs with similar NPAs. Viewed against this consumer dislocation, the county Board's assertion that the change "would help create 'a sense of the county as a community and have a profound impact on local business and economy'"³ seems totally inadequate.

¹ The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc., listed in Attachment A.

² Petition at 3. The 716 NPA is in the process of being split, with the new 585 NPA being assigned to the territory that includes Farmington.

³ Petition at 3.

Boundary changes can have other negative results as well. For example, new NPAs are designed based, in part, on projections of when the codes will exhaust. Moving an NPA boundary can upset that original balance and accelerate the date when one or another of the affected NPAs will exhaust. This harms customers in the area with the newly shortened area code life. In addition, boundary changes can create new seven-digit interLATA calling areas, arrangements which consumers find confusing.

The industry and the Commission have adopted a number of standards for area codes that are established as part of NPA relief efforts.⁴ For example, NPAs are to be drawn along existing rate center boundaries, not along county or other governmental lines.⁵ Verizon is concerned that States might attempt to evade these standards by after-the-fact modifications through the sort of delegated authority sought here.

Therefore, the Commission should require a State seeking to change an area code boundary to make the following showing:

- That the existing NPA boundary must be modified to resolve a significant problem or difficulty.⁶
- That the public has had an opportunity to be heard concerning the proposed modification.

⁴ E.g., 47 C.F.R. § 52.19; Industry Numbering Committee, NPA Code Relief Planning & Notification Guidelines, dated Aug. 6, 2001, *available at* <http://www.atis.org/atis/clc/INC/Incdocs.htm>; Industry Numbering Committee, NPA Allocation Plan and Assignment Guidelines, dated Jan. 7, 2002, *available at* <http://www.atis.org/atis/clc/INC/Incdocs.htm>.

⁵ Industry Numbering Committee, NPA Code Relief Planning & Notification Guidelines ¶¶ 2.11, 6.1. 6.2.

⁶ See *Bell Atlantic Petition for Modification of LATA Boundaries*, 15 FCC Rcd 5072 ¶ 10 (2000).

- That the proposed modification will not require any customer to undergo a ten-digit telephone number change.
- That the boundary change will not accelerate the forecasted NPA exhaust date for any affected code.
- That the new boundary is consistent with all Commission rules and industry guidelines.
- That the boundary change does not create any new seven-digit interLATA calling arrangements.

Respectfully submitted,

/S/

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THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Midwest Incorporated d/b/a Verizon Midwest
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.